

### **REMARKS**

Claims 7 and 8 are pending in this application.

Applicant has amended claims 7 and 8, and has canceled claims 1-6 and 9-24. The changes to these claims made herein do not introduce any new matter.

#### **Cancellation of Non-Elected Claims**

Among other claims that have been canceled herein, Applicant has canceled non-elected claims 9-22. Applicant reserves the right to pursue non-elected claims 9-22 in a timely filed divisional application.

#### **Allowable Subject Matter**

Applicant appreciates the Examiner's indication that claims 7 and 8 define allowable subject matter. As will be explained in more detail below, Applicant has amended the claims to place the subject application in condition for immediate allowance.

#### **Claim Amendments**

Applicant has rewritten each of claims 7 and 8 in independent form so that each of these claims includes all of the features specified in the base claim and the intervening claims. In light of the Examiner's indication that claims 7 and 8 define allowable subject matter, amended claims 7 and 8 are believed to be in condition for allowance. As noted above, Applicant has herein canceled claims 1-6 and 9-24. With the cancellation of these claims, all pending claims, i.e., claims 7 and 8, include subject matter that has been indicated to be allowable over the prior art of record.

#### **Rejections Under 35 U.S.C. §§ 102 and 103**

In the Final Office Action, the Examiner rejected claims 1, 2, 23, and 24 under 35 U.S.C. § 102(b) as being anticipated by *Herman et al.* (US 6,075,905). In addition, the Examiner rejected claims 3 and 4 under 35 U.S.C. § 103(a) as being unpatentable over *Herman et al.* in view of *Miyake* (US 6,804,419 B1), and rejected claims 5 and 6 under 35

U.S.C. § 103(a) as being unpatentable over *Herman* in view of *Miyake*, and further in view of *Inuzuka et al.* (US 6,784,891 B2). In light of the cancellation of claims 1-6, 23, and 24 herein, the above-listed prior art rejections under 35 U.S.C. §§ 102 and 103 are moot.

Conclusion

In view of the foregoing, Applicant respectfully requests reconsideration and reexamination of claims 7 and 8, as amended herein, and submits that these claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at **(408) 749-6902**. If any additional fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. MIPFP077).

Respectfully submitted,  
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